

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
(DALLAS DIVISION)**

DIANNA JOHNSON,

Plaintiff,

v.

**BROOKDALE SENIOR LIVING
COMMUNITIES, INC.,**

Defendant.

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CIVIL ACTION NO. 3:13-cv-00253-B

UNOPPOSED MOTION TO DISMISS

Plaintiff Dianna Johnson ("Plaintiff"), files this Motion to Dismiss, as follows:

1. Plaintiff is a former employee of Defendant. She has brought suit against Defendant alleging claims arising from her employment.

2. Defendant has an arbitration provision that it contends is applicable to all employees.

3. Plaintiff has agreed to dismiss this matter and pursue her claims against Defendant in arbitration. Therefore, Plaintiff requests that the Court dismiss all federal proceedings so that the parties may participate in arbitration.

WHEREFORE, the Plaintiff respectfully requests that the Court dismiss this matter without prejudice and with all parties to bear their own costs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically on February 18, 2013. This document was automatically served on all attorneys of record who have registered as filing users upon issuance of the Notice of Electronic Filing as follows:

Alicia S. Voltmer
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s/Susan E. Hutchison
Susan E. Hutchison

CERTIFICATE OF CONFERENCE

The undersigned has spoken with counsel for Defendant, Alicia Voltmer, and Ms. Voltmer does not oppose this Motion to Dismiss.

s/Susan E. Hutchison
Susan E. Hutchison